

**Attachment C**

**IN THE BOARD OF SUPERVISORS**

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION APPROVING REPLACEMENT LAND  
CONSERVATION CONTRACT PURSUANT TO THE  
CALIFORNIA LAND CONSERVATION ACT OF 1965**

The following resolution is hereby offered and read:

WHEREAS, Government Code Section 51240 provides that the County may enter into contracts for the purpose of preserving agricultural land within an agricultural preserve; and

WHEREAS, Government Code Section 51243 requires that the County limit such land to those uses which are compatible with agricultural uses; and

WHEREAS, Government Code Section 51191, as interpreted by the California Department of Conservation, provides that landowners may in connection with a request to rescind a land conservation contract, request to enter into a replacement land conservation contract on the remaining portion of the land that is to remain enforcedly restricted under the Williamson Act in conjunction with approval of the grant of a Solar-Use Easement to the County on another portion of the property; and

WHEREAS, such a Replacement Land Conservation Contract (the "Contract") has been presented to the Board of Supervisors by Bret M. Finley, Trustee of the Finley Family Trust of March 22, 1982 - Survivor's Trust, Robert Lee Finley, Trustee of the Finley Family Trust dated March 22, 1982

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- Exemption Trust, and Robert Lee Finley, Trustee of the Finley Family Trust of March 22, 1982 - Qualified Terminable Interest Trust, owner of the land described therein, which land is within an agricultural preserve previously established by the Board of Supervisors; and

WHEREAS, the Replacement Land Conservation Contract presented is in the form for land conservation contracts previously approved by the Board of Supervisors; and

WHEREAS, the applicant for the Replacement Land Conservation Contract has presented to the County all necessary supporting documents as required by Rules of Procedure adopted by the Board of Supervisors; and

WHEREAS, all owners of the property and all trust deed beneficiaries and mortgagees of the property have properly executed said Replacement Land Conservation Contract and their signatures thereto have been notarized; and

WHEREAS, the Board of Supervisors finds it is in the public interest to approve execution of the above Replacement Land Conservation Contract; and

WHEREAS, the Board of Supervisors finds the Replacement Land Conservation Contract to be consistent with the provisions of Government Code Section 51191, as interpreted by the California Department of Conservation, based upon Findings A through H [on pages 10 and 11] set forth in the Department of Planning and Building staff report dated September 10, 2013, a copy of which is on file with the Clerk of the Board of Supervisors and is incorporated by reference herein as though set forth in full.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. The Replacement Land Conservation Contract submitted by Bret M. Finley, Trustee of the Finley Family Trust of March 22, 1982 - Survivor's Trust, Robert Lee Finley, Trustee of the Finley

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Family Trust dated March 22, 1982 - Exemption Trust, and Robert Lee Finley, Trustee of the Finley Family Trust of March 22, 1982 - Qualified Terminable Interest Trust, on file with the Clerk of the Board of Supervisors is hereby approved by the County of San Luis Obispo and the Chairperson of the Board of Supervisors is authorized and directed to execute said Replacement Land Conservation Contract on behalf of the County of San Luis Obispo.

2. The Clerk of the Board of Supervisors is authorized and directed to record the above Replacement Land Conservation Contract in the Office of the County Recorder of the County of San Luis Obispo concurrently with Solar-Use Easement Agreement Granting a Solar-Use Easement to the County of San Luis Obispo.

3. The original Land Conservation Contract, which was approved by the Board of Supervisors in Resolution No. 75-332 and recorded as Document No. 14174, on May 8, 1975, is hereby rescinded and replaced by this Replacement Land Conservation Contract and by the Solar-Use Easement Agreement Granting a Solar-Use Easement to the County of San Luis Obispo, which are effective when recorded.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_,  
and on the following roll call votes, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

\_\_\_\_\_  
Chairperson of the Board of Supervisors

County Clerk and Ex-Officio Clerk of the Board  
of Supervisors

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

By: James B. Wilson  
Deputy County Counsel

STATE OF CALIFORNIA,                     )  
  ) ss.  
County of San Luis Obispo,             )

WITNESS my hand and the seal of said Board of Supervisors, affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

By \_\_\_\_\_ Deputy Clerk